

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STEVEN L. SMITH,
Plaintiff,

v.

MEREDITH LOBUR, et al.,
Defendants.

**CIVIL ACTION
No. 24-13000-IT**

ORDER

On February 24, 2025, the court denied without prejudice Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. No. 2]. The court ordered Plaintiff to file a renewed application and prison account statement by March 17, 2025. See Order [Doc. No. 4]. A copy of the court's February 24 Order was mailed to Plaintiff at the Barnstable County House of Correction. [Doc. No. 5]. A copy was also mailed to the Treasurer's Office at the facility. Id.

The Treasurer's Office responded to the court's order and submitted a copy of Plaintiff's prison account statement. [Doc. No. 6]. However, the envelope with the court's order that was sent to Plaintiff on February 24, 2025, was returned as undeliverable on March 7, 2025. [Doc. No. 7]. The envelope of the returned mail includes the notations "return to sender" and "unable to forward." Id. at 5. Although Plaintiff has not informed the court of any new address as required by this court's local rules, *see* District of Massachusetts Local Rule 83.5.5(h) (requiring *pro se* litigants to inform the clerk of any change of address within fourteen days of the change), the clerk contacted the Barnstable County House of Correction and was advised that Plaintiff was released without a forwarding address.

District courts have inherent power to dismiss cases for failure to prosecute. See Link v. Wabash R.R. Co., 370 U.S. 626, 629 (1962) (noting that “[t]he authority of a federal trial court to dismiss a plaintiff’s action with prejudice because of his failure to prosecute cannot seriously be doubted”). Given that Plaintiff has not informed the Court of any change of address, as required by Local Rule 83.5.5(h), and has not taken any further action in this case, the Court DISMISSES this case without prejudice. The Clerk shall enter a separate order of dismissal.

So ordered.

March 19, 2025

/s/ Indira Talwani
UNITED STATES DISTRICT JUDGE